

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:06CR00010-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
RICHARD ARMSTRONG,)	
)	
Defendant.)	

This matter was heard on December 15, 2016 upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Dennis G. Terez.

The violation report was referred to Magistrate Judge William H. Baughman who issued a Report and Recommendation on November 29, 2016 [Doc. 66]. No objections having been filed the Court adopted the Magistrate Judge's Report and Recommendation and found that the following terms of supervision had been violated:

- 1) new law violation incurred September 9, 2015;
- 2) failure to obtain full time employment;
- 3) new law violation incurred October 30, 2015.

The Court found the violations to be Grade B and that defendant was a Criminal History Category VI.

The Court considered the 3553(a) factors including the nature and circumstances of the

offense as well as defendant's background. The Court found defendant's offense conduct extremely serious in that it involved a high speed chase which endangered not only the officers in pursuit but also a minor inside the defendant's vehicle. The Court also found defendant's history of violent and drug related offenses serious.

The Court committed defendant to the custody of the Bureau of Prisons for a term of 20 months with credit for any time served awaiting the final revocation hearing. While the Court ordered the entire term to be served consecutive to defendant's state sentence at the hearing, upon reconsideration after the hearing the Court now orders 8 months to run concurrently with defendant's state sentence and the remaining 12 to be served consecutive to defendant's state sentence. Upon release from incarceration, defendant's supervised release shall terminate. Defendant is remanded to the custody of the U.S. Marshal.

IT IS SO ORDERED.

Dated: December 16, 2016

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE